



San Diego City Attorney CASEY GWINN

MEDIA RELEASE

FOR IMMEDIATE RELEASE: Wednesday, November 29, 2000

CONTACT: Joan McNamara, Deputy City Attorney, Consumer and Environmental Protection Unit,
(619) 533-5699; San Diego City Attorney Media Information, (619) 235-5725.

BAR OWNERS SENTENCED AFTER JURY CONVICTS UNDER CALIFORNIA'S ANTI-SMOKING LAW

San Diego, CA (November 29, 2000) — The owners of the Mira Mesa Inn ignored California's smoking ban for too long. Now, a San Diego judge has ordered that their business be closed for two consecutive days. Today, San Diego Superior Court Judge Janet I. Kintner also placed the owners — Warren Schirmer and Paree Piraino — on probation for three years, ordered them to prominently post no smoking signs in their bar and mail public service announcements to other bar owners warning them to obey the smoke-free bar and restaurant laws. The defendants must also serve 80 hours of community work service for an anti-smoking program and pay a restitution fine.

Today's sentencing came after a jury convicted the Mira Mesa Inn owners, on November 17, 2000, of violating the California law that makes an owner responsible for employees using tobacco in an area where food or beverages are prepared, served, or stored. This was San Diego's first jury trial involving the owners of a bar or restaurant where an employee was smoking while tending bar.

During the past two years, the County of San Diego's Tobacco Control Resource Program received numerous complaints about smoking at the Mira Mesa Inn and sent the owners four warning notices. The City Attorney's Consumer and Environmental Protection Unit filed misdemeanor charges against the owners after the San Diego Police Department cited their bartender for smoking behind the bar. At the same time, five customers in the bar were cited for smoking.

"The smoke-free bar and restaurant laws protect the health of all California employees and customers, and also protect food and beverages from contamination," City Attorney Casey Gwinn said. "This case is a reminder that in California, bar and restaurant owners are responsible for managing their businesses and



San Diego City Attorney **CASEY GWINN**

MEDIA RELEASE

supervising their employees.”

For more information on the smoke-free bar and restaurant laws or to report a violation, contact the San Diego County Office of Health Promotion at (619) 515-6693.

###